

ORIGINAL

Approved: Juliana Murray
 JULIANA N. MURRAY / RYAN B. FINKEL
 Assistant United States Attorneys

Before: HONORABLE GABRIEL W. GORENSTEIN
 United States Magistrate Judge
 Southern District of New York

19MAG 5445

- - - - - x
 : SEALED COMPLAINT
 UNITED STATES OF AMERICA :
 :
 - v. - : Violation of 21 U.S.C.
 : § 846
 :
 DANIEL RODRIGUEZ, : COUNTY OF OFFENSE:
 : BRONX
 Defendant. :
 - - - - - x

SOUTHERN DISTRICT OF NEW YORK, ss.:

TENITRIS MCINNIS, being duly sworn, deposes and says that she is a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"), and charges as follows:

COUNT ONE
 (Narcotics Conspiracy)

1. From at least in or about March 2019 up to and including in or about June 2019, in the Southern District of New York and elsewhere, DANIEL RODRIGUEZ, the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that DANIEL RODRIGUEZ, the defendant, and others known and unknown, would and did distribute and possess with the intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substance that DANIEL RODRIGUEZ, the defendant, conspired to distribute and possess with the intent to distribute was five kilograms and more of mixtures and

substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(A).

(Title 21, United States Code, Section 846.)

The bases for my knowledge and for the foregoing charge are, in part, as follows:

4. I am a Special Agent with ATF and have served in that role for approximately four years. I have been personally involved in the investigation of this matter. This Affidavit is based upon my personal participation in the investigation, my examination of reports and records, and my conversations with other law enforcement officers and other individuals. Because this Affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

Overview

5. Since in or about May 2019, ATF and New York City Police Department ("NYPD") Joint Task Force, in conjunction with the DEA, has been investigating a drug trafficking organization (the "DTO") that ships packages containing cocaine (the "Packages") from Puerto Rico into the continental United States.

6. Law enforcement agents have identified approximately several suspicious Packages to date - based on, among other things, the locations from which they were shipped, their approximate size and weight, their packaging, and the description of their contents - and has tracked certain of those Packages that were shipped from Puerto Rico to the continental United States, including the Bronx, New York, among other places.

May 29, 2019 Robbery

7. Based on my involvement in this investigation, my review of documents and subpoena returns, and my conversations with law enforcement officers and other individuals interviewed in connection with the investigation, I have learned, among other things, the following:

a. On or about May 29, 2019, DANIEL RODRIGUEZ, the defendant, and two other particular individuals ("Individual-1" and "Individual-2"), among others, were at Individual-1's apartment in the Bronx, New York ("Apartment-1").

b. At approximately 7:20 p.m. on or about May 29, 2019, three suspects (the "Robbers") forced entry into Apartment-1, displayed firearms, and threatened RODRIGUEZ, Individual-1, and others. The Robbers forced Individual-2 to the ground at gunpoint and struck RODRIGUEZ in the head with a gun. The Robbers then grabbed four to five large black duffel bags from Apartment-1 and fled the scene.

c. Law enforcement officials who responded to the scene of the Robbery found what appeared to be orange plastic wrapping, broken tables, blood stains, and a .40 caliber cartridge inside Apartment-1. Law enforcement officials recovered a one-kilogram brick of suspected cocaine wrapped in clear plastic (the "Recovered Cocaine") from the street outside Apartment-1.

Investigation

8. Based on my involvement in this investigation, my review of documents, subpoena returns, and surveillance footage, and my conversations with law enforcement officers and other individuals interviewed in connection with the investigation, I have learned, among other things, the following:

a. Surveillance video shows that, as the Robbers fled from Apartment-1 on or about May 29, 2019, the strap on one of the duffel bags broke and a duffel bag fell onto the street (the "Duffel Bag"). The robber who was carrying the Duffel Bag continued to flee and abandoned the Duffel Bag on the sidewalk.

b. Approximately eleven minutes later, three individuals (collectively, the "Neighbors") exited an apartment building across the street from Apartment-1 ("Building-1"). The Neighbors observed the Duffel Bag and concealed the Duffel Bag near the curb moments before law enforcement responded to the Robbery scene. Later that day, one of the Neighbors exited Building-1, retrieved the Duffel Bag, and carried the Duffel Bag into Building-1.

c. On or about June 3, 2019, law enforcement officials interviewed a tenant of an apartment in Building-1 ("Apartment-2"), who gave law enforcement officials consent to search Apartment-2. During that search, law enforcement officials found

plastic wrapping in a trashcan in one of the bedrooms in Apartment-2 that was similar to the wrapping on the Recovered Cocaine.

9. On or about June 5, 2019, law enforcement officials identified three suspicious Packages ("Package-1," "Package-2," and "Package-3," collectively, the "Florida Packages") that had been shipped from Puerto Rico for delivery to a certain address in Orlando, Florida (the "Orlando Apartment").

10. Law enforcement officials identified additional suspicious Packages - based on, among other things, their approximate size and weight and their packaging - that originated from the Puerto Rico Address and were delivered to locations within the continental United States, including the Bronx, New York.

a. Three of the suspicious Packages that originated from the Puerto Rico Address were addressed to Individual-2 at Apartment-1 (the "Apartment-1 Packages"). Surveillance video from the delivery facility (the "Facility") from on or about May 29, 2019 shows Individual-1, Individual-2, and DANIEL RODRIGUEZ, the defendant, picking up the Apartment-1 Packages at approximately 3:58 p.m. Records from the Facility show that Individual-2 signed for the Apartment-1 Packages. The Apartment-1 Packages were wrapped in orange plastic wrapping and secured by thick straps.

b. Two of the suspicious Packages that originated from the Puerto Rico Address were addressed to a "Daniel Rodriguez" at a certain address in the Bronx, New York ("Bronx Apartment") and were delivered on or about April 11, 2019 (the "April 11 Packages").

c. One of the suspicious Packages that originated at the Puerto Rico Address was addressed to a "Daniel Rodriguez" at the Bronx Apartment and was delivered on or about April 24, 2019 (the "April 25 Package").

d. Based on my involvement in the investigation, my review of documents and surveillance footage, and my conversations with law enforcement officials, I believe that DANIEL RODRIGUEZ, the defendant, is associated with the Bronx Apartment and was the recipient of the April 11 Packages and the April 25 Package.

e. On or about June 5, 2019, law enforcement officials identified three suspicious Packages that originated from the

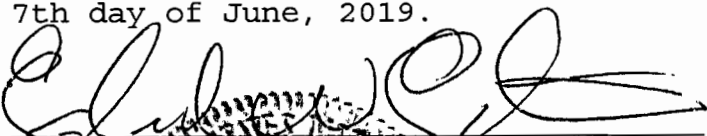
Puerto Rico Address and were sent to a certain address in Florida ("Florida Package-1," "Florida Package-2," and "Florida Package-3," collectively, the "Florida Packages"). The Florida Packages were wrapped in orange plastic wrapping and secured by thick straps. Pursuant to a judicially authorized search of Florida Parcel-1, law enforcement officials recovered from inside Florida Parcel-1, among other items, 65 bricks of a white powdery substance, weighing approximately 65 kilograms. The substance field-tested positive for cocaine.

WHEREFORE, the deponent respectfully requests that DANIEL RODRIGUEZ, the defendant, be imprisoned or bailed, as the case may be.



TENITRIS McINNIS
Special Agent, ATF

Sworn to before me this
7th day of June, 2019.



THE HONORABLE GABRIEL W. GORENSTEIN
UNITED STATES CHIEF MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK

